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Attorneys for Plaintiff
Phyllis W. Cheng, Director of the California
Department of Fair Employment and Housing

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

PHYLLIS W. CHENG, in her official capacity
as DIRECTOR OF THE CALIFORNIA
DEPARTMENT OF FAIR EMPLOYMENT
AND HOUSING, an agency of the State of
California, on behalf of Real Parties in Interest
and all Similarly Situated Individuals,

Plaintiff,

v.

WINCO FOODS, LLC; WINCO HOLDINGS,
INC.,

Defendants.

CRISTINA VERDUZCO, an Individual; and
ANGELINA GONZALEZ-DIAZ, an
Individual, and all other similarly situated
individuals,

Real Parties in Interest.

CASE NO: 3:14-CV-00483 JST

**DECLARATION OF ALEXANDRA
SELDIN IN SUPPORT OF
STIPULATION TO EXTEND TIME TO
FILE PLAINTIFFS' OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS
COMPLAINT AND DEFENDANT'S
REPLY BRIEF**

1 I, Alexandra Seldin, declare:

2 1. I am an attorney licensed to practice before the U.S. District Court, Northern District
3 of California. I am employed as Senior Staff Counsel by the California Department of Fair
4 Employment and Housing ("DFEH"). I make this declaration in support of the Stipulation to Extend
5 Time to File Plaintiff's Opposition to Defendant's Motion to Dismiss Complaint and Defendant's
6 Reply Brief. I am familiar with the litigation of this matter and state the following facts based on
7 personal knowledge, and if called upon to do so, I could and would testify to the matters set forth
8 herein.

9 2. On March 4, 2014, Defendant filed the Notice of Motion and Motion to Dismiss
10 Plaintiff's Complaint; Memorandum of Points and Authorities in Support Thereof ("Motion"),
11 (Docket No. 10). The Motion was noticed for hearing on April 10, 2014.

12 3. On March 5, 2014, the Court issued a Notice Continuing Motion Hearing as to
13 Motion to Dismiss, to April 24, 2014 (Docket No. 14).

14 4. On March 11, 2014, I spoke with Kristina Launey, attorney for Defendant WinCo in
15 this matter, and we agreed to stipulate that the deadlines to file Plaintiff's Opposition and
16 Defendant's Reply may be extended by one week each, so that DFEH may file and serve the
17 Opposition to Defendant's Motion to Dismiss on or before March 25, 2014, and Defendants may file
18 and serve a Reply in Support of the Motion to Dismiss on or before April 8, 2014. Pursuant to Civil
19 Local Rule 5-1(i)(3), I hereby attest that I obtained concurrence of Defendant's Counsel to file this
20 document.
21

22 5. The additional time is needed to allow the Parties to clarify fully the issues in dispute
23 for the court. The issues include but are not limited to DFEH's jurisdiction and standing to enforce
24 the Americans With Disabilities Act; an issue which has not previously been litigated. This is a
25 complicated legal issue that will require comprehensive briefing.
26



Signed this 11th day of March, 2014, at San Diego, California.

Alexandra Seldin